

BOARD OF APPEAL REFERRALS

April 27, 1978

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MEMORANDUM

* As Amended

April 27, 1978

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert F. Walsh, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 4/18/78

Z-4113
Northeastern University
50 Leon Street, Boston
near Greenleaf Street

57,000 square feet of land

District(s):	apartment <u>H-2</u>	general business <u> </u>	industrial <u> </u>
	residential <u> </u>	local business <u> </u>	waterfront <u> </u>
	single family <u> </u>		manufacturing <u> </u>

Purpose: to subdivide; to erect ten-story dormitory structure.

Violation(s):

SectionRequiredProposed

8-7.	Dormitory is conditional in an H-2 district.		
8-7.	A college or university granting degrees by authority of the Commonwealth is conditional in an H-2 district.		
23-1.	Off-street parking is insufficient.	75 spaces	20 spaces

Dormitory would provide residence for 394 students and tend to alleviate private housing shortage in the area. University policy discourages student use of automobiles; however, in letter of March 13 to the Authority, the University has agreed to provide additional parking facilities should the 20 proposed on site be inadequate. Recommend approval with provisos.

VOTED: In reference to Petition No. Z-4113, brought by Northeastern University, 50 Leon Street, in the Fenway Urban Renewal Area, for two conditional uses and a variance to erect a ten-story dormitory structure in an apartment (H-2) district, the Boston Redevelopment Authority recommends approval with the following provisos: that plans for the building, parking, circulation, and landscaping be submitted to the Authority for design review; that the University execute an agreement with the City for payment in lieu of taxes on new dormitory and Greenleaf Street properties.

* The Secretary is to notify the Board of Appeal that we consider \$30,000 inadequate payment on a building valued at \$4,000,000.



50 LEON ST
(B.P.)
Z-4113

Board of Appeal Referrals 4/27/78

Hearing: 5/2/78

Z-4129

The Salvation Army of Massachusetts
Incorporated
332 Jamaicaaway, Jamaica Plain
at Perkins Street

2½-story masonry structure

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business_____	waterfront_____
	single family <u>S-.3</u>		manufacturing_____

Purpose: to change occupancy from home for unwed mothers (Booth Memorial)
to retirement home for elderly.

Violation(s):

Section

Required

Proposed

9-2. A change in a nonconforming use requires
Board of Appeal hearing.

Facility providing accommodations for 55 elderly persons is consistent
with existing institutional uses on the Jamaicaaway. Proposal complies
with code conditions. Recommend approval with provisos.

VOTED: In reference to Petition No. Z-4129, brought
by The Salvation Army of Massachusetts
Incorporated, 332 Jamaicaaway, Jamaica Plain,
for a change of occupancy from home for unwed
mothers to retirement home for elderly in a
single-family (S-.3) district, the Boston
Redevelopment Authority recommends approval
provided that the use extend only to the
Salvation Army and expire upon sale, transfer,
or lease of the property and that the peti-
tioner and City execute an agreement on
payments in lieu of taxes on such use.

[illegible]

Board of Appeal Referrals 4/27/78

Hearing: 5/9/78

Z-4132

Joseph Hodges

223-227 Bowdoin Street, Dorchester
near Norton Street

District(s): apartment _____ general business _____ industrial _____
 residential _____ local business L-1 waterfront _____
 single family _____ manufacturing _____

Purpose: to change occupancy from four apartments and two stores to four apartments, dry cleaners, and restaurant providing entertainment.

Violation(s):

SectionRequiredProposed

- 8-7. A restaurant with entertainment is forbidden in an L-1 district.

Restaurant has existed for many years. Live entertainment would create additional demand for parking in an area already congested. Neighborhood opposition is indicated. Recommend denial.

VOTED: In reference to Petition No. Z-4132, brought by Joseph Hodges, 223-227 Bowdoin Street, Dorchester, for a forbidden use for a change of occupancy from four apartments and two stores to four apartments, dry cleaners, and restaurant providing entertainment in a local business (L-1) district, the Boston Redevelopment Authority recommends denial. Live entertainment would create additional demand for parking in an area already congested. Neighborhood opposition is indicated.



223-227 BOWDOIN ST

2-4132

(DOR)

Board of Appeal Referrals 4/27/78

Hearing: 5/9/78

Z-4133 and Z-4140
Museum of Fine Arts
465 Huntington Avenue, Boston
at Museum Road

Two-story structure

District(s): apartment H-1 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: to erect two-story addition; to use portion of premises for parking of 200 cars for a fee; to erect attendant's booth and signs.

Violation(s):

Section

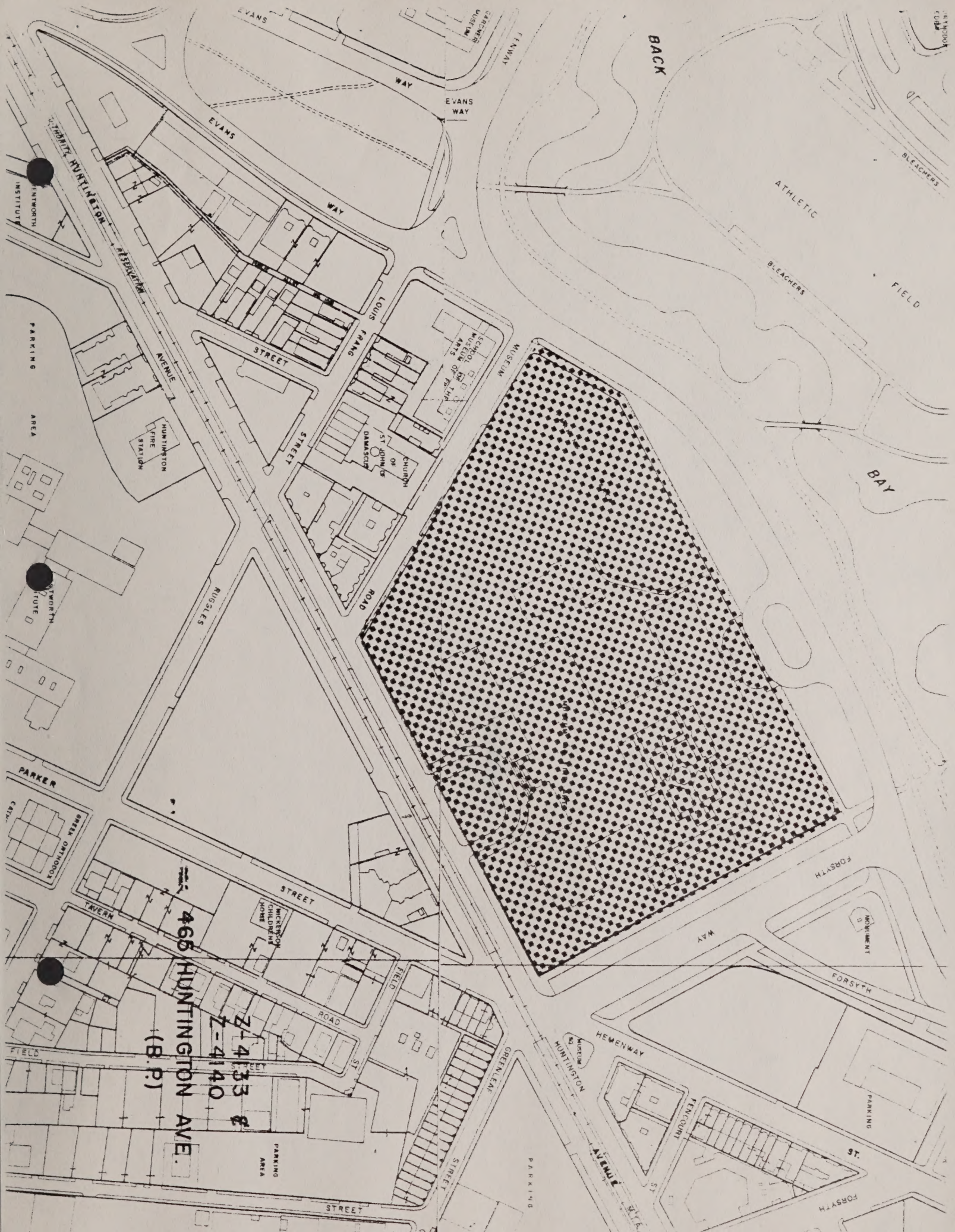
Required

Proposed

- 8-7. A museum is conditional in an H-1 institutional district.
- 8-7. Accessory parking attendant's booth is conditional in an H-1 institutional district.

New west wing would contain a modern auditorium, additional exhibition galleries, and associated facilities. Design would be consistent with existing Museum structure. Parking proposal would enable Museum to control existing lot and prohibit current unauthorized use. Recommend approval with provisos.

VOTED: In reference to Petitions Nos. Z-4133 and Z-4140, brought by the Museum of Fine Arts, 465 Huntington Avenue, Boston, for two conditional uses to erect a two-story addition, use portion of premises for parking of 200 cars for fee, and erect attendant's booth and signs in an apartment (H-1) institutional district, the Boston Redevelopment Authority recommends approval provided that parking lot signage plans are submitted to the Authority for design review and that an agreement is executed with the City on payment in lieu of taxes on the additional revenue generated by the proposed fee parking.



BACK

ATHLETIC

BAY

465 HUNTINGTON AVE.
(B.P.)

21433
7-4140

Board of Appeal Referrals 4/27/78

Hearing: 5/9/78

Z-4134

Blanche M. Kingsbury
 155-167 Columbus Avenue, Boston
 near Berkeley Street

Six-story masonry structure (to be demolished)

District(s): apartment _____ general business B-8 industrial _____
 residential _____ local business _____ waterfront _____
 single family _____ manufacturing _____

Purpose: to use premises for accessory open-air parking for 60 cars
 and recreation area; to combine with adjacent lot.

Violation(s):

SectionRequiredProposed

8-7. Accessory open-air parking is conditional
 in a B-8 district.

Sixty-car parking facility would provide accommodations for adjacent
 Salvation Army church and offices. Two basketball hoops would be
 constructed for recreation. Recommend approval with proviso.

VOTED: In reference to Petition No. Z-4134, brought
 by Blanche M. Kingsbury, 155-167 Columbus
 Avenue, in the South Cove Urban Renewal Area,
 for a conditional use to use premises for
 accessory open-air parking and to combine
 with adjacent lot in a general business (B-8)
 district, the Boston Redevelopment Authority
 recommends approval provided parking and
 circulation plans are submitted to the
 Authority for design review.



Board of Appeal Referrals 4/27/78

Hearing: 5/16/78

Z-4135
Wolcott Development Corp
130 Fulton Street, Boston
near Lewis Street

Five-story structure

District(s): apartment _____ general business _____ industrial _____
residential _____ local business L-2 waterfront _____
single family _____ manufacturing _____

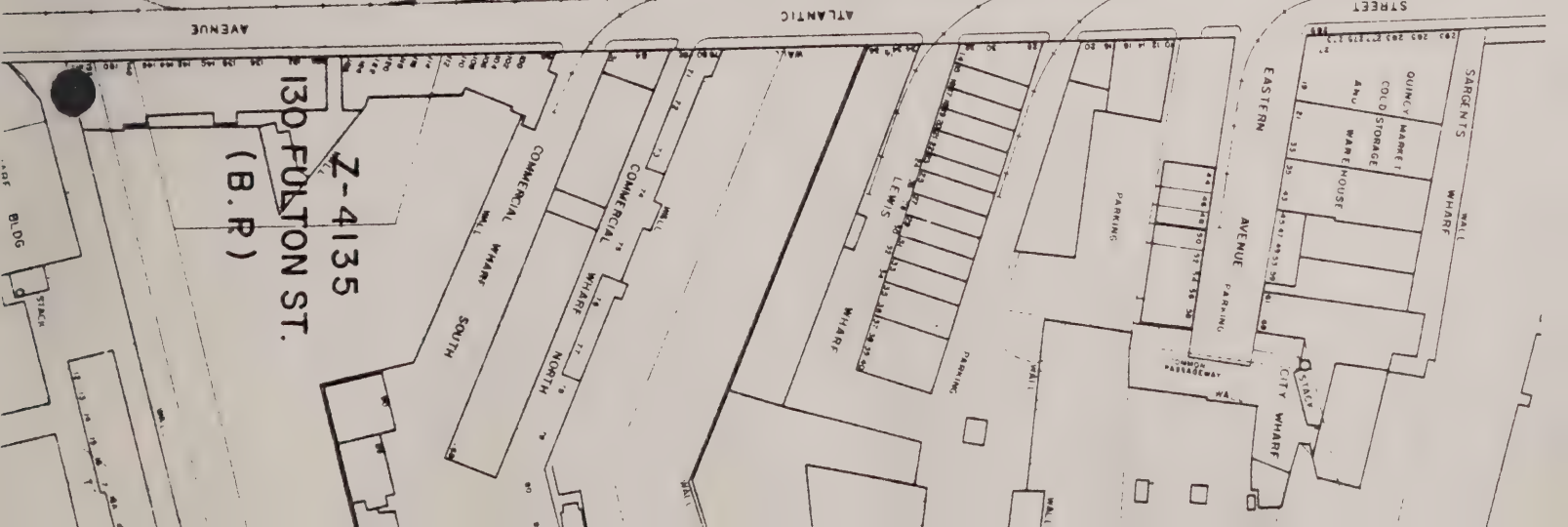
Purpose: to change occupancy from 17 to 23 apartments.

Violation(s):

<u>Section</u>	<u>Required</u>	<u>Proposed</u>
17-1. Open space is insufficient.	100 sf	7 sf

In November, petitioner received Board of Appeal approval for 17 units with Authority concurrence. Current petition is response to staff letter requesting additional units to lower individual cost and development compatible with surrounding neighborhood. Board of Appeal in its decision indicated change would be desirable and in the better interests of the community. Recommend approval with proviso.

VOTED: In reference to Petition No. Z-4135, brought by Wolcott Development Corp., 130 Fulton Street, Boston, for a variance for a change of occupancy from 17 to 23 apartments in a local business (L-2) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review.



Z-4135
130 FULTON ST.
(B.R.)

Board of Appeal Referrals 4/27/78

Hearing: 5/9/78

Z-4136

Joseph A. Pingaro (owner)

Narconon, Inc. (lessee)

120 London Street, East Boston
near Meridian Street

Four-story masonry structure

District(s): apartment H-1 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: to change occupancy from lodging house to education and counseling of ex-drug addicts.

Violation(s):

<u>Section</u>	<u>Required</u>	<u>Proposed</u>
8-7. Facility for education and counseling of ex-drug addicts is conditional in an H-1 district.		
8-7. Facility providing custodial care for drug addicts or alcoholics is forbidden in an H-1 district.		

The program is unwarranted in an area already oversupplied with drug-related facilities (four). Narconon presently operates at the site without building or occupancy permits and disputes the violations which were determined by Assistant Corporation Counsel. Community is strongly opposed. Recommend denial.

VOTED: In reference to Petition No. Z-4136, brought by Joseph A. Pingaro and Narconon, Inc., 120 London Street, East Boston, for a forbidden use and a conditional use for a change of occupancy from lodging house to education and counseling of ex-drug addicts in an apartment (H-1) district, the Boston Redevelopment Authority recommends denial. This program is unwarranted in an area already oversupplied with drug-related facilities (four). Narconon presently operates at the site without building or occupancy permits and disputes the violations which were determined by Assistant Corporation Counsel in letter of January 23, 1978, to Assistant Zoning Administrator, Building Department. Community is strongly opposed.

Z-4136
120 LONDON ST.
(E.B.)



Board of Appeal Referrals 4/27/78

Hearing: 5/16/78

Z-4139
Sarah Agostino
21 Kimball Street, Dorchester
near Dorchester Avenue

One-story masonry structure

District(s): apartment _____ general business _____ industrial _____
residential R-.8 local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: to change occupancy from auto repair shop garage to
auto repair shop garage and indoor sale of two used cars.

Violation(s):

<u>Section</u>	<u>Required</u>	<u>Proposed</u>
8-7. Indoor sale of two motor vehicles is forbidden in an R-.8 district.		

Use is inappropriate, located in middle of residential street.
Proposal would seriously overcrowd the structure and generate
unwanted traffic. Neighborhood is opposed. Recommend denial.

VOTED: In reference to Petition No. Z-4139, brought
by Sarah Agostino, 21 Kimball Street,
Dorchester, for a forbidden use for a change
of occupancy from auto repair shop garage to
auto repair shop garage and indoor sale of
two used cars in a residential (R-.8) dis-
trict, the Boston Redevelopment Authority
recommends denial. Use is inappropriate,
located in middle of residential street.
Proposal would seriously overcrowd the
structure and generate unwanted traffic.
Neighborhood is opposed.



Z-4139

21 KIMBALL ST.
(DOR.)

Board of Appeal Referrals 4/27/78

Hearing: 5/16/78
Z-4141-4143
Boston Redevelopment Authority
Faneuil Hall Marketplace, Inc.
300-399 Faneuil Hall Marketplace, Boston

North Market Building

District(s): apartment _____ general business B-8-U industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: to erect retail and office signage.

Violation(s):
Section

Required Proposed

- 11-2. The top of a sign attached parallel to a building may be no higher than the top of the sills of first level of windows above the first story.
- 11-2. The top of a sign attached at right angle to a building may be no higher than the top of the sills of first level of windows above the first story.
- 11-2. Freestanding signs are not allowed in a B-8-U district.
- 11-2. Total area of proposed signs exceeds maximum allowed.

Proposal is extension of South Market Building signage plan approved by the Authority and the Board of Appeal. Recommend approval.

VOTED: In reference to Petitions Nos. Z-4141-4143, brought by the Boston Redevelopment Authority and Faneuil Hall Marketplace, Inc., 300-399 Faneuil Hall Marketplace, Boston, for a conditional use to erect retail and office signage in a general business (B-8-U) urban renewal area subdistrict, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review.



Z-4141-43

300-399 FANEUIL HALL
MARKET PLACE
(B.P.)

Board of Appeal Referrals 4/27/78

Hearing: 5/16/78

Z-4144

Annette and Benjamin D'Agostino
627 East Second Street, South Boston
near K Street

2½-story frame structure

District(s):	apartment <u>H-1-50</u>	general business <u> </u>	industrial <u> </u>
	residential <u> </u>	local business <u> </u>	waterfront <u> </u>
	single family <u> </u>		manufacturing <u> </u>

Purpose: to legalize occupancy - two-family dwelling.

Violation(s):

Section

Required

Proposed

8-7. Any dwelling converted for more families
which does not meet the requirement of lot
area is forbidden in an H-1-50 district.

14-2. Lot area is insufficient.

6,000 sf

4,140 sf

Community groups and abutters are not opposed to proposal. However,
exterior of building should be repaired (missing gutter - peeling
paint). Recommend approval with proviso.

VOTED: In reference to Petition No. Z-4144, brought
by Annette and Benjamin D'Agostino, 627
East Second Street, South Boston, for a for-
bidden use and a variance to legalize occu-
pancy for two-family dwelling in an apartment
(H-1-50) district, the Boston Redevelopment
Authority recommends approval with proviso
that exterior of building (missing gutter,
peeling paint) be repaired.



Z-4144
627 EAST SECOND ST.
(S.B.)

BAY STATE PL

STREET

SECOND

EAST

STREET

THIRD

EAST

BROADWAY

SOUTH BOSTON
MUNICIPAL
BUILDING

ST GEORGE
ALBANIAN
CATHEDRAL

NEW ENGLAND
TELEPHONE
COMPANY

FOURTH

GATE
OF
HEAVEN
CHURCH
(RC)

GATE
OF
HEAVEN
EL B
HIGH
SCHOOL
(RC)

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FIFTH

STREET

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Board of Appeal Referrals 4/27/78

Hearing: 5/9/78

Z-4146

Louis J. Cedrone

18 Shepard Street, Brighton

near Washington Street

One-story masonry structure

District(s): apartment _____ general business _____ industrial _____
residential R-.8 local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: to erect one-family dwelling.

Violation(s):

Section

Required

Proposed

18-1. Front yard is insufficient.

20 ft.

0

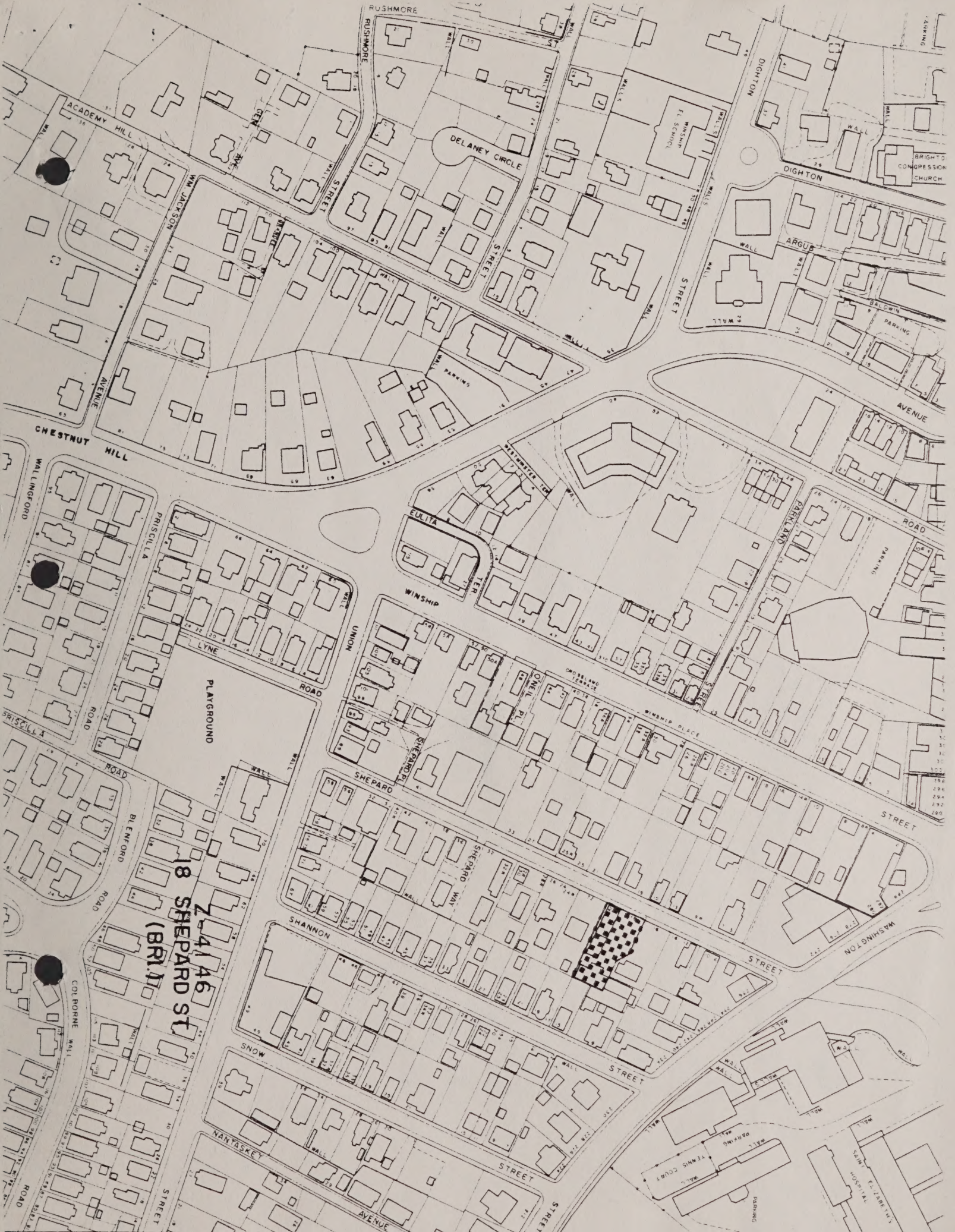
19-1. Side yard is insufficient.

10 ft.

0

Structure, constructed and occupied, is inconsistent with scale and character of this residential street. Local civic association, abutters, and neighbors are strongly opposed. Recommend denial.

VOTED: In reference to Petition No. Z-4146, brought by Louis J. Cedrone, 18 Shepard Street, Brighton, for two variances to erect a one-family dwelling in a residential (R-.8) district, the Boston Redevelopment Authority recommends denial. Structure is inconsistent with scale and character of this residential street (lack of front and side yards). Local civic association, abutters, and neighbors are strongly opposed.



18 SHEPARD ST
(BRIT)
2446